

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GEORGE DALIE,)	
)	
Plaintiff,)	
)	Civil Action No. 2:16-cv-01448
v.)	
)	Chief Judge Mark R. Hornak
FNU GUMBERT, FNU ELYNOFF, FNU)	
CARTER, and M. HOWELLS,)	
)	
Defendants.)	

MEMORANDUM OPINION

This prisoner *pro se* civil rights case has been referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrate's Act, 28 U.S.C. § 636(b)(1), and Local Rule of Civil Procedure 72.

On January 15, 2019, the Magistrate Judge issued a Report (ECF No. 62) recommending that Defendants' Motion for Summary Judgment (ECF No. 54) be granted as to Defendants Gumbert, Elynoff, and Carter, and that Defendant Howells be dismissed with prejudice. Plaintiff was served with the Report and Recommendation at his listed address and was advised that he had until February 1, 2019, to file written objections to the Report and Recommendation. To date, Plaintiff has not filed any objections nor has he sought an extension of time in which to do so.¹

The Court has reviewed the matter and concludes that the Report and Recommendation correctly analyzes the issues and makes a sound recommendation. Accordingly, after *de novo* review of the pleadings and documents in the case, together with the report and recommendation, the report

¹ If a party does not file timely objections to a magistrate judge's report and recommendation, the party may lose its right to *de novo* review by the district court, although the court must still give "reasoned consideration" to the magistrate judge's report before adopting it. *Henderson v. Carlson*, 812 F.2d 874, 878-79 (3d Cir. 1987).

and recommendation will be adopted; summary judgment be granted to Defendants Gumbert, Elynoff, and Carter; and Defendant Howells² will be dismissed with prejudice. An appropriate Order follows.



Mark R. Hornak
Chief United States District Judge

Dated: February 7, 2019

cc: All counsel of record

² For the reasons noted at footnote 3 of the Magistrate Judge's Report, Plaintiff has abandoned any claims against Howells.